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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 BARBARA STUART ROBINSON,

10 Plaintiff,

11 v.

12 TACOMA COMMUNITY COLLEGE,

13 Defendant.

CASE NO. C11-5151BHS

ORDER DENYING
PLAINTIFF'S MOTION FOR
RECONSIDERATION

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16 This matter comes before the Court on Plaintiff Barbara Stuart Robinson's
17 ("Robinson") motion for reconsideration (Dkt. 90). The Court has considered the
18 pleadings filed in support of the motion and the remainder of the file and hereby denies
19 the motion for the reasons stated herein.

20 **I. PROCEDURAL HISTORY**

21 On March 3, 2011, Robinson filed a complaint against Defendant Tacoma
22 Community College ("TCC") alleging violations of Title II of the Americans with
23 Disabilities Act ("ADA"), 42 U.S.C. §§ 12131–65; § 504 of the Rehabilitation Act
24 ("RA"), 29 U.S.C. § 794; and RCW 49.60.030. Dkt. 5.

25 On August 8, 2011, TCC filed a motion for summary judgment. Dkt. 80.
26 Robinson responded that same day. Dkt. 81. On August 29, 2011, TCC replied. Dkt. 86.
27 Robinson filed a supplemental pleading that same day. Dkt. 87.
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1 On September 27, 2011, the Court granted TCC's motion for summary judgment.
2 Dkt. 89. On September 28, 2011, Robinson filed a motion for reconsideration. Dkt. 90.

3 II. DISCUSSION

4 Motions for reconsideration are governed by Local Rule CR 7(h), which provides
5 as follows:

6 Motions for reconsideration are disfavored. The court will ordinarily deny
7 such motions in the absence of a showing of manifest error in the prior
8 ruling or a showing of new facts or legal authority which could not have
been brought to its attention earlier with reasonable diligence.


9 Local Rule CR 7(h)(1).

10 In this case, Robinson argues that the Court committed manifest error in granting
11 TCC's motion for summary judgment because the Court failed to address her claims for
12 violations of 45 C.F.R. § 84.4. Dkt. 90. The Court addressed Robinson's claims because
13 45 C.F.R. § 84.4 is the Department of Health and Human Services' rules promulgated
14 pursuant to the RA. Thus, concluding that Robinson failed to submit evidence that she
15 was a qualified person under the RA encompassed any cause of action Robinson may
16 have had under 45 C.F.R. § 84.4.

17 III. ORDER

18 Therefore, it is hereby **ORDERED** that Robinson's motion for reconsideration
19 (Dkt. 90) is **DENIED**.

20 DATED this 29th day of September, 2011.

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23 BENJAMIN H. SETTLE
24 United States District Judge
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